

**Regarding FCC Docket 07-51  
Access to Multiple Dwelling Units for Video Providers.**

In our community, Cypress Landing, Fort Myers, Florida, we have Century Communication from Boca Raton, Florida as our cable TV, Internet and alarm monitoring service. We, as a community, are locked into a 15 year bulk agreement with Century Communications that includes an annual increase in cost, but no increase in service.

Century Communications has failed to live up to the contract, while requiring annual increases in costs to the homeowners association.

Century Communications is to supply the community with Internet download speed of 756Kbs; however, over the last year I have run many speed tests and have found the download speed very rarely at the stated speed. Most of the time, I get speeds that are between 400Kbs and 500 Kbs, but frequently the speeds are as low as 256Kbs. Upload speeds are supposed to be 128Kbs, and most tests show speeds under 100Kbs.

In regards to the Century Communication cable television service, there are many times when one or more channels are not available due to, what appears to be, a lockup of the Dish Network satellite system Century uses. If the channel(s) become unavailable Saturday evening or Sunday the issue is not fixed until Monday, as Century does not provide customer service on Sunday. Other issues have included, or do include, over-modulating the television signal to the point where there is distortion in the picture and sound. Unbalanced audio that varies between channels – ie: too high or too low. Also, the on-screen guide is not accurate most of the time, including showing channels that are not on the system.

The final issue is with their customer service. Just today, April 9, 2008, I tried to call their customer service number during business hours and was greeted with a message telling me to call back during business hours. The times when I have been able to contact Century Communications, I'm either told that they are working on the issues, or they will call me back to discuss the issues, but rarely do. This has not improved for the last three years.

Century Communications is a company owned and operated by the company that developed the community, Falcone/Transeastern. The developer set up the homeowners association and operated it. While under the developer control, the association entered into the long-term bulk agreement with Century Communications in such a way as to prevent escape from the contract once Falcone/Transeastern turned over the association to the owners in the community.

Note that because of previous FCC rulings, people do have a choice of using alternate services for the internet and television (only satellite, however); however, if they do elect to use an alternate service they are still required to pay part of their monthly association

fees to Century Communications even though they are not using the Century Communications service.

I encourage the FCC to adopt FCC Docket 07-51. I further encourage the FCC to develop rules to make such contracts null and void, and to allow homeowner associations to negotiate television, telephone and Internet contracts rather than have developers develop companies and contracts that highly favor the developer.

Sincerely,

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